

February 15, 2019

The Honorable Fred Patton, Chairperson
House Committee on Judiciary
Statehouse, Room 519-N
Topeka, Kansas 66612

Dear Representative Patton:

SUBJECT: Fiscal Note for HB 2098 by House Committee on Judiciary

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2098 is respectfully submitted to your committee.

HB 2098 would specify that a court could order the disclosure of criminal investigation records, if the court finds that disclosure is in the public interest and that the disclosure outweighs any potential harm. The bill would additionally specify that public interest means more than mere public curiosity and to be a matter involving public interest, the matter must affect a right or expectation of the community at large and further public evaluation of governmental performance.

The Office of Judicial Administration states enactment of HB 2098 would have a negligible fiscal effect on the operations of the Judicial Branch.

The Office of the Attorney General states enactment of HB 2098 could increase the number of requests for opinions interpreting the bill's provisions or complaints regarding alleged violations of the Kansas Open Records Act. This could result in the need for additional staff attorneys and investigators; however, the Office is unable to estimate a fiscal effect. Any fiscal effect associated with HB 2098 is not reflected in *The FY 2020 Governor's Budget Report*.

The Kansas Association of Counties and the League of Kansas Municipalities indicate enactment of HB 2098 would have a negligible fiscal effect on local governments.

Sincerely,



Larry L. Campbell
Director of the Budget

cc: Janie Harris, Judiciary
Paul Weisgerber, KBI
Sherry Macke, Highway Patrol
Willie Prescott, Office of the Attorney General
Chardae Caine, League of Municipalities
Jay Hall, Association of Counties